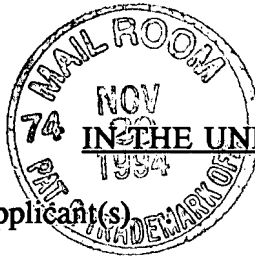


#11

PATENT

Docket No. 0174-4002US1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Jutila, Mark A.

Group Art Unit: 1806

Serial No. : 08/064,505

Examiner: Phillip Gambel

Filed : May 19, 1993

For : ANTIBODIES WITH SPECIFICITY FOR
MULTIPLE ADHESION MOLECULES

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

DECLARATION UNDER 37 CFR 1.131

I, Mark A. Jutila declare that:

1. I am the sole inventor of the subject matter described and claimed in U.S. Patent Application Serial No. 08/064,505 ('505) filed May 19, 1993 entitled, Antibodies with Specificity For Multiple Adhesion Molecules and sole inventor of the subject matter disclosed in the parent application, Serial No. 07/887,695 ('695) filed May 22, 1992.
2. I am a coauthor, along with Gayle Watts, Bruce Walcheck and Geoffrey S. Kansas of the publication in J. Exp. Med. vol 175, pp 1565-1573, 1992 entitled, Characterization of a Functionally Important and Evolutionarily Well-conserved Epitope Mapped to the Short Consensus Repeats of E-selectin and L-selectin.

3. The '695 application which was filed May 22, 1992 disclosed the subject matter later reported in the J. Exp. Med. article, which was published in June of 1992.

4. Gayle Watts, Bruce Walcheck and Geoffrey S. Kansas are not inventors of the subject matter which is disclosed in the J. Exp. Med. publication and not inventors of the subject matter disclosed and claimed in the '565 patent application or of the subject matter disclosed in the '695 patent application.

5. Gayle Watts, one of the authors of the publication is a research technician in my laboratory. She provided technical assistance in the generation of EL-246, in its functional characterization, and in determining the pattern of reactivity of the EL-246 antibody, all of which was conducted under my guidance. While coauthoring the publication she is not an inventor of the subject matter described therein.

6. Bruce Walcheck, one of the authors of the J. Exp. Med. publication provided technical assistance in the biochemical analysis of the antigen recognized by the EL-246 antibody, under my guidance, and in the preparation of the manuscript for publication. While coauthoring the publication he is not an inventor of the subject matter described therein.

7. Geoffrey S. Kansas, one of the authors of the J. Exp. Med. publication provided technical assistance, under my guidance, ^{of the EL-246 studies} of the flow cytometric analysis of the antigen recognized by the EL-246 antibody using chimeric selectin cDNA transfected cell ^{he developed} lines which is disclosed in the publication. He also assisted in the preparation of the manuscript for publication. While coauthoring the publication he is not an inventor of the subject matter disclosed herein.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 11/15/94

By: Mark A. Jutila
Mark A. Jutila



#11
PATENT

Docket No. 0174-4002US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jutila, Mark A. Group Art Unit: 1806
Serial No. : 08/064,505 Examiner: Phillip Gambel
Filed : May 19, 1993
For : ANTIBODIES WITH SPECIFICITY FOR
MULTIPLE ADHESION MOLECULES

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

DECLARATION OF BIOLOGICAL CULTURE DEPOSIT

I, Mark A. Jutila declare and say:

1. I am inventor of the subject matter of the above-identified patent application;
2. The hybridoma cell line that produces the monoclonal antibody, EL-246 was deposited in the permanent culture collection of the American Type Culture Collection, 12031 Parklawn Drive, Rockville, Maryland, and the culture deposit meets the requirements of the Budapest Treaty for the purposes of patent procedure;
3. I certify that during the pendency of this application, access to the deposit will be afforded to the Commissioner or to one determined by the Commissioner to be entitled thereto upon request;

4. I certify that all restrictions upon the availability to the public of the deposited biological material will be irrevocably removed upon the granting of a patent on the application;

5. I certify that the deposit will be maintained in a public depository for a period of at least thirty years from the date of deposit or for the enforceable life of the patent or for a period of five years after the date of the most recent request for the furnishing of a sample of the deposited biological material, whichever is longest;

6. I certify that the deposit will be replaced if it becomes nonviable, contaminated or non-replicable. Attached as Exhibit 1 is a copy of the receipt of the hybridoma cell line, EL-246 showing viability as of May 29, 1992;

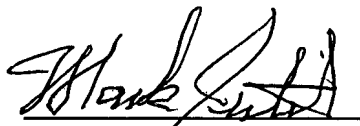
7. The hybridoma cell line EL-246 that produces the monoclonal antibody, EL-246 was deposited May 22, 1992, prior to the date of filing of the above-identified application and even date of the filing of the parent application, Serial No. 07/887,695.

8. The hybridoma cell line that produces the monoclonal antibody EL-246 was deposited under Accession Number HB11049 as disclosed in the present application on page 15, lines 5-9. The hybridoma produces the monoclonal antibody EL-246 as described in the application on page 15, lines 5-9.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18

of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 11/14/94

By: 
Mark A. Jutila